

R. Cosins (C.) Bishop of Durham

10368. R. 5

An Account of the Proceedings in Parliament (1666, 67, and 68,) between Dr. Cosins then Bishop of Durham, and the Gentlemen Freeholders of the County Palatine of Durham, relating to their having Knights and Burgeses to serve in Parliament.

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County of Durham, } At the General Quarter Sessions of the Peace held at Durham the third day of October 1666.

The GRAND JURY sworn.

John Martin of Elvet	William Thorlby of School Aycliffe
William Blackett of Woodcroft	Richard Stephenson of Preston
Thomas Fewler of Aislaby	Nicholas Hall of Elwicke
Wm. Jackson of Coatham Mundeville	Francis Tweddell of Thorpe
Robert Shepperd of Whessoe	Anthony Wood of Egglecliffe
John Harrison of Brians-leap	William Blackett of Shipley
William Marley of Hedley-hall	Robert Marley of Picktree
Matthew Stoddart of Barnardcastle	Gentlemen.

THE said Grand Jury presented a Petition to the Court in the Names and on the behalfe of all the Freeholders of the said County, setting forth, that they do not enjoy the Privilege of sending Members to Parliament, as all the other Counties of the Kingdom do.

Being confident, that the Justices of the Peace will be pleased to join with and assist them by all lawful ways and means, in their endeavours to right their injured Country, hoping the Justices will take the Premisses into serious consideration, and nominate and send up to London, with all convenient speed, such Persons as they shall think fit, for the effectual prosecution of this great concern of the Country, that they may petition the Parliament to grant them a reasonable Request, that they may have Knights and Burgeses to represent them in Parliament, like all other Counties in the Kingdom.

Which Petition being read in open Court, the Right Rev. John (Cosins) Lord Bishop of Durham, did enter his Protestation against the same, and John Sudbury Doctor of Divinity Dean of Durham; Isaac Basire Doctor of Divinity

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Divinity, *Thomas Cradocke* Esq; *Samuel Davison* Esq; and *William Blakiston* Esq; five of the Justices then present in Court, did declare and enter their dissent or dislike thereunto: But Sir *Nicholas Cole* Knight and Baronet, *Henry Lambton* Esq; *John Tempest*, *Anthony Byerley*, *Ralph Davison*, *Cuthbert Carr*, *Lodwicke Hall*, *Robert Clavering*, *Ralph Carr*, *John Morland*, *Christopher Sanderson* Esquires, Eleven Justices then also present in Court, did approve of the said Petition, and gave their assent to the same.

The Freeholders Reasons wherefore Knights and Burgeses are desired for the County Palatine of Durham.

FIRST, all the Countys and Countys Palatine within the Kingdom of England have Knights and Burgeses to represent them in the Commons House of Parliament, save only the County Palatine of Durham.

2. The County Palatine of Chester (which is a County Palatine by Prescription) have their Knights and Burgeses by an Act of Parliament made in the 34th. year of the reign of King Henry the eighth.

3. The Freeholders and Inhabitants within the County Palatine of Durham; are subject and liable at this day to all Aids and Subsidys granted by any Act of Parliament, in the same degree as the Freeholders and Inhabitants of any other County are.

4. The prejudice which the Freeholders and Inhabitants in the said County Palatine of Durham may suffer for want of Representatives in their Trade and in the proportioning of aids by general Laws and otherwise.

5. This doth not in any sort impair the Jurisdiction of the County Palatine, no more than the Act that enabled Chester to send Knights and Burgeses did, which remains still as compleat a County Palatine as Durham is.



The

Members for the COUNTY of DURHAM.

The Bishop of Durham's Answer to the Freeholders Reasons, opposing the County having Knights and Burgeses.

FIRST, It hath always been held a special Privilege belonging to the Bishoprick and County Palatine of Durham, to be exempt from sending any Knights or Burgeses to sit in Parliament for that County.

2. All the Bishops of Durham at their first Entrance and Inthronization, take a solemn oath, to defend and preserve all accustomed Rights Priviledges and Immunities (whereof the aforesaid Priviledge and Exemption is one) appertaining to his Bishoprick and County Palatine, and this oath, the Bishop is bound to observe, nor doth he yet know any expedient that will free him from it.

3. If any Law should be now made to take away that Privilege, it would prove to be a great innovation, and alter the condition and Constitution of that Bishoprick.

4. The election of Knights and Burgeses cannot be made in that County without the Kings Writ; but *Breve Regis non currit in Comitatu Palatino Dunelmensi*, which is the usual Return that the Bishop of Durham maketh to any Writt sent unto him, in case any of his Liberties and Immunities be infringed by it.

5. The City of Durham and all other Corporations in that County, hold their Charters from the Bishop, to the observance of whose Priviledges they are all sworn and bound, not to attempt or act any thing to the contrary.

6. This attempt for Knights and Burgeses was first of all (about 53 years since) projected and made by a few discontented gentlemen; who sought thereby, as they then threatned, to lessen the Bishop's Power in his Courts and Jurisdiction over that County Palatine: But their attempt prevailed not at that time, nor ever since in any Parliaments following to this day. Neither could the King's Royal Progenitors ever be perswaded to give way to any such new Attempt or Innovation.

7. The whole County hath heretofore withstood that Innovation when it was first begun, without the Consent of the Bishop; and in like manner, many of the Freeholders and Gentlemen there withstand it now; tho' some others among them, shew themselves vehemently desirous of it; and for the better obtaining of their purpose, have by their agents offered the Bishop for the time being, that he shall have the Nomination of one Knight and one Burgess, if by consent an Act of Parliament may be passed for it.

8. There

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8. There was never yet any precedent for sending such Knights and Burgeses out of his Bishoprick and County Palatine, but only in the time of *Cromwell* the Usurper, who violently took away the Rights and Priviledges of it, and gave leave to the disloyal and disaffected Party of the County to chuse one Knight, and one Burges, after the Murther of the late King.

9. The Persons who now labour to sett up Knights and Burgeses in this County Palatine (and tell the Bishop that they hope and expect to prevail in it, whether he will give his Consent to it or no) have neither any right nor necessity to do it.

10. For though they pretend to have the same Claim and Right which all other Counties have in this particular, yet the Prescription, Custome, and Practice in this County Palatine is against them.

11. And whereas they complaine, that diverse Taxes and Royal Aids are imposed upon them in Parliament without their Consent, having no Knights and Burgeses there to sitt and vote for them, yet this imposition, is no other then hath been alwayes heretofore used; nor hath any exception till now of late, been taken against it, neither herein do they suffer any injury or inconvenience, having had special Care taken of them in all times by the Bishops of Durham concerning the Proportion of their Taxes, whereof (being equally rated with other Counties) they have no reason to complain; and having received the benefit of all other Lawes made for the Kingdome, and in particular the late Law of freeing them from Wardships, when they had no Knights and Burgeses of their own to speak for them in it, or to give consent thereunto, as all the rest of the Kingdom had. Add hereunto, for further Answer to that Objection and Complaint, that diverse such Taxes and Impositions are laid upon the Clergy in that Bishoprick and County Palatine, who have no Representatives admitted to consent and vote for them in Parliament, but only their own Bishop of Durham.

12. But the Bishop of Durham in declining to give his Assent unto the present desires of some Gentlemen in this County Palatine, who endeavour to make themselves Knights and Burgeses after the Example of the County Palatine of Chester (which is a Case far different from this of Durham) is tender herein of the good and welfare of the County, in saving them much trouble expences and charges, which might otherwise be brought upon them, and careful to preserve the antient Constitution and Custom of his Bishoprick and County Palatine, which he and his Predecessors have held by Prescription for many Ages; being well assured, that the People and Inhabitants within this County Palatine do receive a great Benefit, Ease and Quiet-
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ness by the Immunities and Priviledges which they continually enjoy there under the Bishop of Durham; of which Priviledges and Immunities, this is, and ever hath been one, to be exempt from sending any Knights or Burgeses to Parliament.

JOHN DURESME.

The Bishop's further ANSWER to the 5 foregoing Reasons (lately printed) against the Inhabitants of the County having Knights and Burgeses to represent them in Parliament.

The first Reason.

1. *All the Countys and Countys Palatine within the Kingdom of England have Knights and Burgeses to represent them in the Commons House of Parliament, save only the County Palatine of Durham.*

The Answer.

All the Countys of England send Knights and Burgeses to the Parliament, but the Bishoprick and County Palatine of Durham sendeth none; for it hath by ancient Custom and Prescription, an Immunity to the contrary, which the Bishop of Durham is bound by Oath to preserve: Nor is there any convincing reason to be given why it should in this particular be like to other Countys: or that the ancient Exemption and Priviledge of it should now be altered or taken away, to satisfie the desires of some Gentlemen and Freeholders in that County, where there are a great many other considerable Persons who desire no such alteration; humbly conceiving, that the honour and justice of a Parliament will never suffer any such Bill to pass against the Bishop's accustomed right in that County Palatine, confirmed by all his Majesty's Royal Progenitors.

The County of Durham never yet had any Knight or Burges, save only one of each sort elected for the Shire and City there by order from *Cromwell* the late Usurper, after he and his pretended Parliament had murdered the King's Royal Father of blessed memory, and taken away both the Bishop-
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rick and all the Rights of that County Palatine, which by the publick Laws and Constitutions of the Kingdom, with all the Rights and ancient Customs thereunto belonging, have since reverted to the Bishop.

Those late and new Representatives (as they then called them) were *Lilburn* and *Smith*, chosen by a disaffected and disloyal part of the Country, the rest (far more considerable than that party was) not consenting to them, nor acknowledging themselves to be represented by them, no more than they or any other of this Kingdom of England were represented by the Knights and Burgeses which *Cromwell* called from Scotland and Ireland to sit with them in his illegal Parliament: Other Example than this alone cannot be produced by any of the Gentlemen or Freeholders in the County Palatine of Durham, for the violation and disturbance of the ancient right and exemption there, in this particular.

The Second Reason.

2. *The County Palatine of Chester (which is a County Palatine by Prescription) have their Knights and Burgeses by an Act of Parliament made in the 34th. year of King Henry the Eighth.*

The Answer.

This peculiar instance of granting Knights and Burgeses to the County Palatine of *Chester*, is not of force enough to infer, that therefore he like Grant ought to be made unto the County Palatine of Durham.

Because there is no such necessity now to have Knights and Burgeses in the County Palatine of Durham, as there was in the County Palatine of Chester, which in the 34th. year of Henry the 8th. had been about 280 years before, taken into the Crown by Henry III. who gave other Lands in exchange for it, to the Aunts and next Coheirs of *John Scot*, the last Earl and Count Palatine of Chester, of the blood of *Hugh Lupus* (to whom William the Conquerour first gave that Palatine Jurisdiction); to which Seizure, that King was induced, as the Record saith, *ne tanta Hereditas inter Colos diduceretur*. Whereupon the County Palatine of Chester suffered many Inconveniencies.

And notwithstanding the Grants which were sometimes made thereof to the Person of the King's eldest Son, yet upon his death, it descended not upon his heirs, but returned again to the Crown.

And

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And after Wales had been totally subdued by K. Edward II, the Kings of England when they created their eldest Son Earl of Chester, they created him also Prince of Wales; which in the 27th. of Henry 8th. being by Act of Parliament annexed to England, had some Knights and Burgeses appointed for them to sit in the great Council of the Realm.

And hereupon the Inhabitants within the County Palatine of Chester, took occasion seven years after, to petition the King and Parliament for Knights and Burgeses of their own, least otherwise their Libertys should be infringed by their Neighbours of Wales.

And 'tis to be noted, that K. Henry 8th. from the time of his coming to the Crown, to the time of passing that Act in the 34th. year of his reign, had not been pleased to conferr that County Palatine of Chester upon his Heir apparent, but reserved it in his own hands.

And therefore in regard of all these Reasons, the Inhabitants within that County Palatine thought it convenient and needful for them to sue for Knights and Burgeses.

All which Reasons belong nothing to the Bishoprick and County Palatine of Durham that was never yet taken into the Crown, but by unjust means in the minority of K. Edward VI. at what time neverthelesse there was no suit or appointment made for Knights and Burgeses to be elected in this County for the Parliament.

Because the Inhabitants within the County Palatine of Chester at the time of passing that Act (as appeareth in the preface thereof) had a long while suffered in their Bodys, Goods, and Lands, and in their Civil Government contrary to Law; which cannot be said of the Inhabitants of the County Palatine of Durham, under the Bishop's Government and Jurisdiction there.

Because that very Act which introduced Knights and Burgeses into the County Palatine of Chester, brought a great Innovation upon it in one of the best Priviledges thereof, by altering the accustomed Writts concerning the payment of Debts in that County, as appears by the Act itselfe. The loss of which Priviledge in the County Palatine of Durham wou'd be a great prejudice and inconvenience to the Inhabitants thereof: Other Innovations arose afterwards upon this occasion in the County Palatine of Chester; which therefore is no good Example for the Bishop or County Palatine to follow.

The third Reason.

3. *The Freeholders and Inhabitants within the County Palatine of Durham; are subject and liable at this day to all Aids and Subsidys granted by any one Act*

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Act of Parliament, in the same degree as the Freeholders and Inhabitants of any other County are.

The Answer.

True it is; that the Freeholders and Inhabitants within this County Palatine of Durham, are, and ever have been subject to pay, as all the rest of the Kingdom doth, all Aids and Taxes imposed upon them by Act of Parliament: but it is not true, that because they pay such Aids and Taxes, therefore they must of necessity have their own peculiar Knights and Burgeses chosen by themselves to give consent thereunto. For in all times heretofore they have paid the same, and received great benefit by other Laws passed in Parliament, and lately by the Law of taking away Wardships when they had no Knights and Burgeses of their own to sit there.

Nor was this ever counted a grievance, till of late some discontented persons presumed to take Exceptions against it; specially at the Sessions of Peace held at Durham in Sept. 1666, where they procured the Grand Jurymen to complain of it to themselves sitting then upon the Bench (before the Bishop being at that time some miles distant from Durham could come to sit there with them) calling it, as appears by the Petition then preferred, "a great dishonour to the Country to want Knights and Burgeses who should vote with their fellow Subjects in Parliament and not stand at the door of that House with a Petition, where they ought to sit as Judges, and not to pay those Aids and Taxes, or be subject to those Laws which they not vote or consent to themselves;" adding further, "that the Parliament owed them near upon 26000l. for paying the Scotch Army 21 years before;" and supposing, "that this money would be procured for them from the Parliament, and that the present Aids and Taxes would be mitigated, if they had Knights and Burgeses of their own to sit there, and importune the House of Commons for that purpose." This was the substance of their Petition and desire at that time, which is still fomented among them by those persons whom they have employed to solicit the Parliament for their purpose at the charge of the County; whereupon they will certainly bring a far greater charge, if Knights and Burgeses should be elected and maintained from time to time with the allowance of their Wages due by Law: and thus while they pretend to mitigate and lessen the charge of the County, the truth is, they intend to augment it; from which intention and Charge the Bishop is the more careful to save the Country.

There

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There can be no strength in this Reason, whereby they would infer the necessity of electing Knights and Burgeses to consent unto these payments of Aids and Taxes, unless they will also infer they are not to be paid without their consent; which is injurious to the King and Parliament, and contrary to the dutifull and ancient practise of this County Palatine.

The whole Clergy of this County have no Representatives in the Commons House of Parliament, and yet they take no Exceptions (as these men do) against the payments imposed upon them by Law for Aids and Taxes to the King; and the Bishop's customary Tenants and Copyholders being by far the greater number of this County (whom these men would have excluded from having any Voice in the election of their new desired Knights and Burgeses) make the like payments according to their duty; but that all these pay their Aids and Taxes in this County, contrary to all Law and Right of Subjects (as the Grand-Jurymen said in their Petition for the Freeholders) it may be well thought that no other sober men will say.

The Fourth Reason.

4. *The prejudice which the Freeholders and Inhabitants in the said County Palatine of Durham may suffer for want of Representatives in their Trade and in the proportioning of Aids by general Laws and otherwise.*

The Answer.

The Freeholders of this County Palatine suffer no prejudice herein. Nor can any one instance be given of it from the first beginning of this Monarchy, that any such prejudice as is here surmised ever yet happened in the County Palatine of Durham, more than in any other Counties that have Knights and Burgeses to represent them in Parliament.

This reason seems to reflect upon the Honour and Justice of the Parliament, which, notwithstanding this surmise, useth to take care of all Persons (generally represented in the name of all the Commons of England) that they shall suffer no wrong or prejudice in their publick Proceedings, and are ready to receive the just complaints and grievances (if any be) that are at any time presented to them: wherein the Bishop of Durham (who hath a peculiar interest in the Government and Welfare of this County Palatine) is always present in the House of Peers either in Person or by Proxy, to propose any thing that may conduce to the benefit thereof, and to the redressing of

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of any just Grievance in it, which may be brought to his knowledge.

The Fifth Reason.

5 This doth not in any sort impair the Jurisdiction of the County Palatine no more than the Act that enabled Chester to send Knights and Burgeses did, which still remains as compleat a County Palatine as Durham is.

The Answer.

It is much to be feared, that if these Gentlemen might have their desires, the Jurisdiction of the County Palatine of Durham will be greatly impaired: for those men who first of all about 54 years since began to move and set forward this Alteration (which was then contradicted by the Justices, Gentlemen and Freeholders of the whole County) made open profession, and said "that they would humble the Bishop and his Courts, together " with all his Clergy, especially those of his Cathedral Church." Which Animositys are still too rife against them among many Persons in the Country at this day, and may prove to be of very dangerous consequence against both Church and State of this Kingdom, and against the Bishop's Prescription and Rights of Government in this County; which being peculiar to him; if once altered and diminished, it cannot be said to continue so compleat a County Palatine as it was before.

The Act for Chester hath impaired that County Palatine in three special Innovations already: one concerning Writs issued out of the Exchequer there for debts, as was observed before: another about the awarding of Exigents and Proclamations contrary to the former Priviledge and Custom of that County Palatine, and a third, concerning the nomination of the Custos Rotulorum. In all which, and the loss of diverse other Priviledges complained of in that County, the Bishop and County Palatine of Durham never yet would follow them.

But supposing that the County Palatine of Chester should have suffered nothing to the prejudice of their Rights and Priviledges there; yet this were no sufficient reason to extort from the Bishop of Durham any of his antient Rights and Exemptions whether he will or no, as these men now endeavour to do by procuring an Act of Parliament to alter the Constitutions and Customs of this Country; and to empower them to elect Knights and Burgeses there without his consent; who if any Writ should be brought unto him
for

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for such Elections to be made within his Jurisdiction, is bound by Oath to answer (as in Cases of like nature the Bishops of Durham have always done) for the preservation of their antient Customs and Libertys in that County Palatine, that *Breve Regis non currit in Comitatu Palatino Dunelmensi.*

BISHOP *Cosins* last Letter to Col. *John Tempest* and *Ralph Davison*, Esqrs: concerning Knights and Burgeses in the County of Durham.

Mr Tempest and Mr Davison,

December 14 1667.

THIS shall be my answer to your Letter of yesterday, wherein I find nothing but a repetition of what you have often said before, without any one new reason added, whereby you might give yourselves any hope to convince or incline me to your own will, in the way that you have taken. You say, that you have made your Addresses to me from time to time with all submission, and truly I must confess, that you have other whiles used such words of submission when you came to treat with me, about setting up new Knights and Burgeses in the Bishoprick: but by your Actions that have followed such your submissive words, it appeareth plainly that when you spake the words, you never intended to submit to me at all, and have therefore prosecuted such your intentions with alleagerness contrary to my advice. You say you have sought, and endeavoured very often to persuade me that I would yield to your desires; but I have as often endeavoured also to persuade you, that you would yield to mine, which hitherto I believe hath more reason in them than yours. And because you cannot prevail upon me, and bring me to your bent, you profess you are very sorry, as I truly thinke you are, but I pray let me return upon you your own words, and say, that I am also sorry I cannot prevail upon you to make you give over this eager prosecution of the Business, which you have taken in hand, as I suppose, against the general good and quiet of the Country, and as you know well, against the consent, both of my selfe and of a considerable Party there, and as I know well, against the accustomed Rights and Priviledges of my Bishopricke. Yet you still pretend and urge the desires of the whole Country, whose desires not long since I shewed you to be to the contrary under all their hands, and I trust, you will not deny, but the Gentlemen together with the estate and condition of the Country then, were as considerable as they are now, nor can you say that any new grievances are risen in the Countrey since that time, or that less care is taken of the Countrey than in your Forefathers days, who never sought that Innovation or
Alteration

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Alteration in the wonted Constitution of the Bishopricke which you now do. You have no Precedent either for preferring a Bill without the Bishop's consent, or setting up Knights and Burgeses for to sit in Parliament: but onely in *Cromwell's* time to serve in his Parliament after he had murthered the late excellent King, and destroyed both the Bishopricke and the County Palatine Rights annexed to it. To your Common Plea and plausible argument, which you think will worke upon many others: that the Country pay Taxes and have no Representatives to give consent for the same, I shall well hope that this inclosed Paper will give you and all just men satisfaction. And in this hope, I Rest

GENTLEMEN your very good Friend and Servant

Jo: Duresme.

P. S. I do not find in your Bill the saving of any Rights or Priviledges, proper to the Bishop himselfe, but onely such as are common to the Inhabitants of the Countie Palatine, who derive all their Liberties and Immunities from and under him, nor do you keep your first offer and promise in assuring him, that the Bishop for the time being shall have the choosing of one Knight and Burges; and divers other Clauses you have omitted in that your Bill whereunto you said you would agree.

Grey's Debates in Parliament 26 March 1668.

A Bill to enable the County of Durham, to send two Knights for the County, and two Citizens for the City of Durham; was read.

MR. CROUCH— The West and the North have already so many Knights and Burgeses, that the Midland, in all Taxes smart for it, in their being over rated.

MR. STEWARD— It is a hard case that, that County should be taxed in all Parliaments, and yet have no Representatives.

MR. VAUGHAN— Thinks the inconvenience of Durham, is now no more than formerly—If we have all our Members here, we have no room for them—If we bring in more Members, we may, by the same Rule, multiply them to as many more. The County of York has many, but they may as well put in, for Knights for every Rding; and the Northern parts are sufficiently provided for already.

SIR THOMAS

Members for the COUNTY of DURHAM.

SIR THOMAS STRIKLAND— The County Palatine of Durham, was * never taxed in Parliament by antient Priviledge before King James's Time, and so needed no Representatives; but now being taxed, it is but reasonable they should have.

SIR THOMAS MERES— Moves, that the Shires may have an increase of Knights, and that some of the small Boroughs, where there are but few Electors may be taken away, and a Bill for that purpose.

On a division of the House the Bill was rejected, 65 to 50.

N. B. Though Bishop Cosins carried his point against any Act passing to send Knights and Burgeses to Parliament, for the County of Durham, and continued his opposition to the time of his Death, (15 January, 1671) yet the priviledge of sending Members to Parliament, was obtained about two years after the Bishop's Death, and one year before Bishop Crewe was translated from Oxford to Durham (for the See was vacant near three years) the Gentlemen of the County renewed their Efforts, and got an Act passed 25th. Charles II. Anno 1673, whereby the County and City of Durham were enabled to send four Representatives to Parliament, two for the County, and two for the City.

* Durham, Northumberland, Cumberland and Westmoreland paid no Subsidies till JAMES I. by reason of their Border-Service.— Harleian Catalogue, No 1877, Art. 18,

Anno Caroli II. 25, Cap. 9th, Anno Domini 1673.

An Act to enable the County Palatine of Durham to send Knights and Burgeses to serve in Parliament.

WHEREAS the Inhabitants of the County Palatine of Durham, have not hitherto had the liberty and priviledge of electing and sending any Knights and Burgeses to the High Court of Parliament, although the Inhabitants of the said County Palatine are liable to all Payments Rates and Subsidies granted by Parliament, equally with the Inhabitants of other Counties, Cities and Boroughs in this Kingdom, who have their Knights and Burgeses in the Parliament, and are therefore concerned equally with others the Inhabitants of this Kingdom, to have Knights and Burgeses in the said High Court of Parliament of their own election, to represent the condition of their County, as the Inhabitants of other Counties, Cities, and Boroughs of this Kingdom have.

II. WHEREFORE may it please your Majesty, that it may be enacted, and be it enacted by the King's most excellent Majesty, by and with the advice and assent of the Lords Spiritual and Temporal, and the Commons in **this**

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this present Parliament assembled, and by the Authority of the same, That from time to time, and at all times from and after the end of this present Session of Parliament, the said County Palatine of Durham may have two Knights for the same County, and the City of Durham two Citizens to be Burgeses for the same City, for ever hereafter to serve in the High Court of Parliament,

III. TO be Elected and Chosen by virtue of your Majesties Writ, to be awarded by the Lord-Chancellor or Lord-Keeper of the Great-Seal of England, for the time being, in that behalf, to the Lord-Bishop of Durham, or his Temporal-Chancellor of the said County of Durham, and a Precept to be thereupon grounded and made by the Lord Bishop of Durham, or his Temporal Chancellor for the time being, to the Sheriff of the said County for the time being,

IV. AND the same election from time to time to be made in manner and form following, that is to say, the Elections of the Knights to serve for the said County-Palatine from time to time hereafter, to be made by the greater number of Freeholders of the said County Palatine of Durham, which from time to time shall be present at such Elections, accordingly as is used in other Counties in this your Majesties Kingdom;

V. AND that the Election of the said Burgeses from time to time to serve in the High Court of Parliament, for the City of Durham, to be made from time to time by the major part of the Mayor, Aldermen and Freemen of the said City of Durham, which from time to time shall be present at such Elections;

VI. WHICH said Knights and Burgeses, and every of them so Elected or Chosen, shall be returned by the said Sheriff into the Chancery of England, in due form, and upon the like pains as be ordained for the Sheriff or Sheriffs of any other County of this Kingdom, to make his or their Returns in like cases;

VII. AND that the said Knights and Burgeses, and every of them so Elected and Returned, shall be by Authority of this present Act, Knights and Burgeses of the High-Court of Parliament, to all intents and purposes, and have and use the like voice, authority and places therein to all intents and purposes, as any other the Knights and Burgeses of the said High-Court of Parliament have, use and enjoy, and likewise shall and may, by virtue of this present Act, take, have, use and enjoy, all such and the like Liberties, Advantages, Dignities and Priviledges concerning the said Court of Parliament, to all intents, constructions and purposes, as any other the Knights and Burgeses of the said High-Court of Parliament have taken, had, used or enjoyed, or shall, may or ought hereafter to have, take or enjoy.

MEM-

MEMBERS in PARLIAMENT for the County of DURHAM.

1673 ---- 25 CHARLES II. Cap. 2.

An Act passed to enable the County Palatine of Durham to send Knights and Burgeses to Parliament.

1675. — 27 CHARLES II.

John Tempest of Durham, Esquire

Thomas Vane of Raby Castle, Esquire

Election 21 June 1675, lasted 3 days — Sir Gilbert Gerrard High Sheriff.

John Tempelt Esq;	—	—	1034.
* Thomas Vane Elq;	—	—	856.
Sir James Clavering of Axwell, Baronet.			747.

* Thomas Vane died of the small-pox, two days after his Election, (viz) 25 June 1675, aged 23 years, and was buried at Staindrop.

Christopher Vane of Raby Castle, Esq; elected without a Poll in the room of his Brother, October 25, 1675.

1678. — 30 CHARLES II.

Sir Robert Eden of West Auckland, Baronet.

John Tempest of the Isle, Esq;

Election 24 February 1678 — Nicholas Conyers Esq; High Sheriff.

Sir Robert Eden Baronet.	—	—	1338.
John Tempest Esq;	—	—	1173.
Christopher Vane Esq;	—	—	921.

1679. — 31 CHARLES II.

William Bowes of Stretlam Castle, Esq;

Thomas Fetherstonhalgh of Stanhope-hall, Esq;

Election 25 August 1679 — Nicholas Conyers Esq; High Sheriff.

William Bowes Esq;	—	—	1048.
Thomas Fetherstonhalgh Esq;	—	—	979.
Christopher Vane Esq;	—	—	803.
Sir Mark Milbanke of Dalden Tower, Bart.			671.

1680.—

MEMBERS in PARLIAMENT

1680. — 32 CHARLES II.

William Bowes of Stretlam Castle, Esq;

Thomas Fetherstonhalgh of Stanhope-hall, Esq;

Election 21 February 1680. — Nicholas Conyers Esq; *High Sheriff.*

William Bowes Esq; — — 1186.

Thomas Fetherstonhalgh Esq; — — 978.

Christopher Vane Esq; of Raby. — 681.

1684. — 1 JAMES II.

Robert Byerley of Middridge Grange, Esq;

William Lambton of Lambton, Esq;

Elected without a Poll, 16 March 1684. — Nicholas Conyers Esq; *High Sheriff.*

1688. — Dec. 23. King JAMES abdicated the Crown, and left the Kingdom.

January 22. The Convention Parliament met.

Robert Byerley of Middridge Grange, Esq; — Cha. Montague Esq; *H. Sheriff.*

William Lambton of Lambton, Esq;

1688-9 — February 13. WILLIAM & MARY accepted King and Queen, and proclaimed with the usual Solemnity.

1689. — 1 WILLIAM and MARY

Sir Robert Eden of West Auckland, Baronet.

William Lambton of Lambton, Esq;

Elected without a Poll, 10 March 1689. — Charles Montague Esq; *High Sheriff.*

1694 — 6 WILLIAM and MARY, Cap. 2 An Act passed for the frequent meeting and calling of Parliaments, and to have continuance for three years only.

1695. — 1 WILLIAM III.

Sir William Bowes of Stretlam Castle, Knight.

William Lambton of Lambton, Esq;

Elected without a Poll, 11 Nov. 1695. — Charles Montague Esq; *High Sheriff.*

1698. —

